

Town of North Andover Planning Department

Frontage Exception Special Permit

Procedure and Requirements for Filing an Application for an Access Other than Legal Frontage Special Permit

The following information must be submitted thirty (30) days prior to the first public hearing. Failure to submit the required information within the time periods prescribed may result in a dismissal by the Planning Board of an application as incomplete. The information herein is an abstract of more specific requirements listed in the Zoning Bylaw and is not meant to supersede them.

- **Step 1: Pick up application package:**
The petitioner picks up complete application package and Zoning Bylaw to reference specific requirements of special permit.
- **Step 2: Special Permit Application Form:**
Petitioner completes (3) copies of the application form. All information as required shall be completed.
- **Step 3: Plan Preparation:**
Petitioner submits all of the required plan information as cited Section 7.2.2 in the North Andover Zoning Bylaw.
- **Step 4: Submit Application:**
Petitioner submits (3) typewritten applications time stamped by the Town Clerk, ten (10) copies of the plan 1" = 40' prepared by a Registered Professional Engineer or Land Surveyor, abutters list certified by the assessors office and filing fee's.
- **Step 5: Submit Filing Fees**
The petitioner submits two separate checks for filing fees in the following amounts.
 1. \$100.00-Special Permit Application Fee
 2. \$2000.00-Outside Consultant Fee
- **Step 6: Mail Application to Outside Consultant**
The petitioner mails a copy of the plan and application to the outside consultant for review at:
Vanasse, Hangin, Brustlin, Inc.
Attn: Tim McIntosh
101 Walnut Street
Watertown, MA 02471
- **Step 7: Notification of Parties in Interest:**
Petitioner submits a complete abutters list to the Planning Department and the Planning Department sends out the legal notice. **Petitioner also submits two complete sets of stamped, self-addressed envelopes, indicating Planning Board, 27 Charles Street, North Andover, MA 01845 as the return address. Additionally, (22) (twenty two) .37 postage stamps must be submitted for notification of the surrounding communities.**

- **Step 8: Legal Notice:**
The Planning Department prepares the legal notice for mailing to the parties of interest (abutters) and for publication in the newspaper. The petitioner is responsible for delivering the legal notice to the newspaper.
- **Step 9: Public Hearing before the Planning Board:**
The petitioner should appear in his/her behalf, or be represented by an agent or attorney. In the absence of any appearance without due cause on behalf of the petitioner, the Planning Board shall decide on the matter by using the information it has otherwise been provided.
- **Step 10: Decision:**
After the hearing(s), a copy of the Planning Board's decision will be sent to the petitioner, engineer and all parties in interest. (Any appeal of the Planning Board's decision may be made pursuant to Massachusetts General Laws Ch. 40A sec. 17 within twenty (20) days after the decision is filed with the Town Clerk.)
- **Step 11: Recording Certificate of Decision Plans**
The petitioner is responsible for recording certification of the decision and any accompanying plans at the Essex North Registry of Deeds, Lawrence Massachusetts, and shall complete the Certification of recording form and forward it to the Planning Department.

Important Phone Numbers

- ❖ 978-688-9535 Planning Department
- ❖ 978-688-9542 Planning Department's Fax
- ❖ 978-688-9501 Town Clerk's Office

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GENERAL REQUIREMENTS TO BE MET FOR OBTAINING A SPECIAL PERMIT

Written Documentation

Applications for a special permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. Addressing each of the below points individually is required with this application.

1. encouraging the most appropriate use of land;
2. preventing overcrowding of land;
3. conserving the value of land and buildings;
4. lessening congestion of traffic;
5. preventing undue concentration of population;
6. providing adequate light and air;
7. reducing the hazards from fire and other danger;
8. assisting in the economical provision of transportation, water, sewerage, schools, parks, and other public facilities;
9. controlling the use of bodies of water, including watercourses;
10. reducing the probability of losses resulting from floods; and
11. reserving and increasing the amenities of the Town; **AND**

10.31

The Special Permit Granting Authority must have all the following conditions met:

- a. The specific site is an appropriate location for such a use, structure or condition;
- b. The use as developed will not adversely affect the neighborhood;
- c. There will be no nuisance or serious hazard to vehicles or pedestrians;
- d. Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
- e. The Special Permit Granting Authority shall not grant any Special Permit unless they make a specific finding that the use is in harmony with the general purpose and intent of this Bylaw.

SPECIFIC REQUIREMENTS TO BE MET FOR OBTAINING A FRONTAGE EXCEPTION SPECIAL PERMIT

Written Documentation

Applications for a special permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. Addressing each of the below points individually is required with this application.

1. The area of the lot exceeds by three (3) times the minimum lot area required for that district;
2. The lot has a minimum continuous street frontage of not less than fifty (50) feet and a width of not less than fifty (50) feet at any point between the street and the site of the dwelling;
3. There is not more than one other such lot with frontage contiguous to it; and
4. It is so located as not to block the possible future extension of a dead end street.
5. The creation of the frontage exception lot will not adversely affect the neighborhood;
6. The creation of the frontage exception lot is in harmony with the general purpose and intent of the Bylaw;
7. No such lot as described above on which a dwelling is located, shall be hereafter reduced in area below the minimum area required in Section 7.1 of the North Andover Zoning Bylaw.

PLAN CONTENTS FOR A FRONTAGE EXCEPTION SPECIAL PERMIT

Map on a scale of one (1) inch equals forty (40) feet prepared by a Registered Professional Engineer or Surveyor showing:

1. The special environmental conditions referred to in Section 7.2.2 of the Town of North Andover Zoning Bylaw are depicted on a topographical plan of 2' contour intervals; and
2. Adequate public safety access.

❖ **A Special Permit once granted by the Planning Board will lapse in two (2) years if not exercised unless the Planning Board grants an extension.**